

## DETAILED ACTION

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Clifford Mass (Reg. No. 30,086) on March 29, 2010 and April 12, 2010.

The application has been amended as follows:

***In the abstract:***

line 11, the phrase "[figure 7]" has been deleted.

***In the claims:***

***Claim 69:***

line 12, phrase "a plurality of video frames" have been replaced as -- ***a plurality of video frames such that each frame of the plurality of video frames comprises an additional element embedded therein*** --

line 13, phrase "associating each frame" has been replaced as -- ***associating said each frame*** --

line 14, phrase "the individual frames" has been replaced as -- ***individual frames***

—

line 24, phrase "the at least one defined key frame" has been replaced as — at  
***least one defined key frame—***

**Claim 71** has been canceled.

***Claim 89:***

line 14, phrase "video frames" have been replaced as -- ***video frames such that each frame of the plurality of video frames comprises an additional element embedded therein*** —

line 15, phrase "associates each frame" has been replaced as -- ***associates said each frame*** —

lines 16-17, phrase "the individual frames" has been replaced as -- ***individual frames*** —

line 27, phrase "the at least one defined key frame" has been replaced as — at  
***least one defined key frame—***

***Claim 90:***

lines 13-14, phrase "video frames" have been replaced as -- ***video frames such that each frame of the plurality of video frames comprises an additional element embedded therein*** —

line 15, phrase "associating each frame" has been replaced as -- ***associating said each frame*** –

lines 16-17, phrase "the individual frames" has been replaced as -- ***individual frames*** –

lines 26-27, phrase "the at least one defined key frame" has been replaced as – ***at least one defined key frame***—

***Claim 97:***

line 4: feature "authored according to the method of claim 69" has been replaced as – ***produced by:***

***authoring non-MPEG video content during a video production process, thereby producing authored video content, the authoring including:***

***embedding a message in a plurality of video frames such that each frame of the plurality of video frames comprises an additional element embedded therein;***

***associating said each frame of the plurality of video frames with a time line represented as time code information such that individual frames comprising the embedded message are identified by the time code information, the interval between each identified individual frame of the plurality of video frames comprising the embedded message comprising a key frame interval to be used during video encoding of the video content;***

***video encoding the authored video content according to the time code information such that each identified individual frame is encoded as a key frame; and***

***embedding a message hider in at least one non-key frame from among a plurality of non-key frames, the at least one non-key frame being a predictive frame intended for display following at least one defined key frame,***

***wherein the message is visible when at least some of the key frames comprising the embedded message are played back using trick mode playback, and visibility of the message is hidden by the message hider during non-trick mode playback; and –***

***Allowable Subject Matter***

2. Claims 69, 73-80, 82-85, 89-90, 93-97 are allowed in view of amendments and Applicant's arguments on pages 8-12 filed January 13, 2010.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SON P. HUYNH whose telephone number is (571)272-7295. The examiner can normally be reached on 9:00 - 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Son P Huynh/  
Primary Examiner, Art Unit 2424

April 12, 2010